No. 90-1817

Supreme Court, U.S.
FILED
JUN 27 1991
OFFICE OF THE CLERK

In The

Supreme Court of the United States

October Term, 1990

TENNECO RESINS, INC.,

Petitioner,

vs.

SHERRIE SIMMERS and ROBERT A. SIMMERS, w/h and ROBERT S. SIMMERS, a Minor, by his parents and natural guardians, SHERRIE SIMMERS and ROBERT A. SIMMERS, w/h,

Respondents.

On Petition for Writ of Certiorari to the Superior Court of Pennsylvania

RESPONDENTS' BRIEF IN OPPOSITION

STANLEY S. FRAZEE, JR.
Counsel of Record
THOMAS F. REILLY
JOSEPH J. McALEE
GALLAGHER, REILLY AND LACHAT
Attorneys for Respondents Sherrie Simmers and Robert A. Simmers, w/h and Robert S. Simmers, a Minor by his Parents and Natural Guardians Sherrie Simmers and Robert A. Simmers, w/h
3100 PSFS Building
12 South 12th Street
Philadelphia, Pennsylvania 19107
(215) 592-9800

605
Lutz Appellate Printers, inc. • NJ (201) 257-6850 • (800) 3 APPEAL • NY (212) 840-4640 • MA (617) 542-1114
DC (202) 783-7288 • PA (215) 925-6500 • USA (800) 5 APPEAL

QUESTIONS PRESENTED

1. Whether the Due Process Clause permits the establishment of *in personam* jurisdiction over a successor corporation based upon the contacts of its predecessor corporation with the forum state where the successor corporation agreed to assume the predecessor's liabilities and benefited from the predecessor's contacts with the forum state and, thus, should reasonably anticipate being haled into the forum state to answer for its predecessor's actions and/or omissions?

2. Whether the Due Process Clause and Full Faith and Credit Clause permit the application of Pennsylvania law to a transaction made in accordance with Delaware law where there is no contradiction between established Delaware case law and the application of Delaware law by the Pennsylvania Superior Court and the application of Pennsylvania law is neither arbitrary nor fundamentally unfair in view of the significant aggregation of contacts creating a valid state interest on the part of the Commonwealth of Pennsylvania?

TABLE OF CONTENTS

Page

Questions Presented i

Table of Contents ii

Table of Citations iii

Statement of the Case 2

A. History of the Case 2

B. The Decision of the Pennsylvania Superior Court 3

Reasons for Denying the Writ 5

I. Consistent with Due Process Clause and prior decisions of this Court, the Superior Court of Pennsylvania correctly held that TRI was subject to *in personam* jurisdiction. 6

A. TRI Has Sufficient Minimum Contacts with the Commonwealth of Pennsylvania Such that the Imposition of Jurisdiction Over It Was Proper. 6

B. The Imposition of Jurisdiction Over TRI Was Based Upon TRI's Contacts with the Commonwealth of Pennsylvania and Not the 1963 TRI/Heyden Agreement. 10

II. The Superior Court's decision is not in contradiction to Delaware case law and pays due deference to the Full Faith and Credit Clause. 11

Contents

Page

Conclusion 14

TABLE OF CITATIONS

Cases Cited:

Allstate Ins. Co. v. Hague, 449 U.S. 302 (1981) 13

Ashai Metal Industry Co. v. Superior Court, 480 U.S. 102 (1987) 11

Banholzer v. New York Life Ins. Co., 178 U.S. 402 (1900) 12

Bouley v. American Cyanamid, et al., Slip Opinion No. 85-4368-Z (D. Mass. October 21, 1987) 12

Burger King v. Rudzewicz, 471 U.S. 462 (1985) 6

Fehl v. S.W.C. Corp., 433 F. Supp. 939 (D. Del. 1977) 8, 12

Hanson v. Denckla, 357 U.S. 235 (1958) 9

Hariton v. ARCO Electronics, Inc., 41 Del Ch. 74, 188 A.2d 123 (1963) 12

Heilburnn v. Sun Chemical Corp., 38 Del. Ch. 321, 150 A.2d 755 (1959) 12

International Shoe Co. v. Washington, 326 U.S. 310 (1945) 6, 7, 9

Contents

Page

Kulko v. California Superior Court, 436 U.S. 84 (1978) 7

Louisville & N.R. Co. v. Melton, 218 U.S. 36 (1910) 12

Max Daetwyler Corp. v. R. Meyer, 762 F.2d 290 (3rd Cir. 1985) 11

McGee v. International Life Insurance Company, 355 U.S. 220 (1957) 7, 9

Milliken v. Meyer, 311 U.S. 457 (1940) 7

Pennoyer v. Neff, 95 U.S. 714 9

Pennsylvania Fire Ins. Co. v. Gold Issue Mining and Milling Co., 243 U.S. 93 (1970) 12

Phillips Petroleum Co. v. Shutts, 472 U.S. 818 (1985) 13

Rush v. Savchuk, 444 U.S. 329 (1980) 10

Sheppard v. A.C.E. & S., Co., Inc., 484 A.2d 521 (Del. Super. Ct. 1984), appeal denied sub nom. In Re: Asbestos Litigation, 497 A.2d 783 (1988) 12

Sun Oil Co. v. Wortman, ____ U.S. ____, 108 S. Ct. 2117 (1988) 11

Western Life Indemnity Co. v. Rupp, 235 U.S. 261 (1914) 12

Contents

Page

Worldwide Volkswagen Corp. v. Woodson, 444 U.S. 290 (1980) 6, 7

No. 90-1817

In The

Supreme Court of the United States

October Term, 1990

TENNECO RESINS, INC.,

Petitioner,

vs.

SHERRIE SIMMERS and ROBERT A. SIMMERS, w/h and ROBERT S. SIMMERS, a Minor, by his parents and natural guardians, SHERRIE SIMMERS and ROBERT A. SIMMERS, w/h,

Respondents.

On Petition for Writ of Certiorari to the Superior Court of Pennsylvania

RESPONDENTS' BRIEF IN OPPOSITION

STATEMENT OF THE CASE

A. History of the Case

Petitioner, Tenneco Resins, Inc.'s ("TRI") petition arises from a products liability action filed against TRI and others in the Court of Common Pleas of Philadelphia County, Pennsylvania in 1987 by respondents.

From the early 1930's until 1953, the Heyden Chemical Corporation ("Heyden") manufactured Thorotrast.[1] In 1957 Heyden changed its name to the Heyden Newport Chemical Corporation ("Heyden Newport"). In June, 1963, the Tennessee Gas Transmission Company (later known as "Tenneco, Inc." and hereinafter "Tenneco"), acquired all of the assets and liabilities of Heyden Newport by means of a wholly owned subsidiary known as HDN Corporation ("HDN") which was created for such purpose. The Agreement by which Heyden Newport was acquired by Tenneco through HDN provided that all of Heyden Newport's assets, properties, business and good will were to be transferred to HDN in exchange for Tenneco stock owned or to be owned by HDN stockholders. Heyden Newport would then dissolve and distribute the Tenneco shares to stockholders of Heyden Newport (Petitioner's Appendix at A5). In October, 1963, in accordance with the aforementioned Agreement, Heyden Newport transferred to HDN all of its assets, properties, business and good will including the right to use the name Heyden Newport Chemical Corporation for which HDN executed and delivered to Heyden Newport an "Assumption Agreement" under which HDN agreed

---

1. Thorotrast is the phamaceutical brand name for colloidal thorium dioxide which is a radioactive contrast dye medium used to perform diagnostic x-rays. By the late 1940's and continuing to the present date, scientific literature and FDA regulations concerning the use of thorium dioxide products explained the medical risk of using Thorotrast, especially an increased risk of cancer (A24).

to pay, perform and discharge, all debts, obligations, contracts and liabilities of Heyden Newport of any kind, character or description, whether accrued, absolute, contingent or otherwise and whether or not reflected or reserved against on the financial statements of Heyden Newport (A5-A6). Immediately thereafter, Heyden Newport changed its name to Denport Corporation, underwent voluntary dissolution under Delaware corporate law and distributed the Tenneco shares to its stockholders (A6).

In turn, HDN changed its name to Heyden Newport Chemical Corporation, then to Tenneco Chemicals, Inc. and then to Tenneco Resins, Inc., petitioner TRI (A6). The management of former Heyden Newport was retained as part of the sales agreement (A6). From the moment of their incorporation, TRI and its predecessors in interest were qualified to do business as foreign corporations in Pennsylvania or were carrying on a continuous and systematic part of their business in the Commonwealth until TRI voluntarily surrendered its certificate to do so on June 11, 1984 (A6). TRI, pursuant to Delaware law, on August 26, 1985, filed a Certificate of Dissolution (A6).

In the *Simmers* action, TRI filed preliminary objections in the nature of a challenge to *in personam* jurisdiction, with said preliminary objections being denied (A34). The trial court certified the question of personal jurisdiction to the Pennsylvania Superior Court for immediate appellate review (A32). On June 12, 1990, the Pennsylvania Superior Court affirmed the trial court's decision (A28). On February 22, 1991, the Pennsylvania Supreme Court denied TRI's petition for allocatur (A29). This appeal followed.

B. The Decision of the Pennsylvania Superior Court

The Pennsylvania Superior Court defined the issue before it as

> Whether the forum-related contacts and actions

> of a predecessor corporation may be attributed to its successor for the purposes of establishing *in personam* jurisdiction.

(A2).

In deciding this issue, the Superior Court recognized that the application of principles of tort liability was not a substitute for an analysis of whether TRI has the requisite minimum contacts with the Commonwealth of Pennsylvania necessary to satisfy the Due Process Clause (A16). Indeed, the Superior Court specifically recognized that any discussion as to TRI's liability was simply by way of analogy as similar concerns arise in determining when a corporation may be called to answer for the obligations of its predecessor and when a corporation may reasonably expect to be haled into court to defend a claim made against it (A15).

After analyzing whether sufficient minimum contacts existed between the Commonwealth of Pennsylvania and TRI, the Superior Court held that the trial court's decision to assert *in personam* jurisdiction over TRI was proper. The Superior Court correctly stated that a corporation which assumes another's liabilities and assets should reasonably expect to be haled into court to answer for those liabilities in those forums in which its predecessor was doing business or had sufficient minimum contacts to render it subject to jurisdiction (A25).

Thus, in reaching its decision, the Superior Court correctly determined that, consistent with principles of due process, TRI had the requisite minimum contacts with the forum state such that TRI could reasonably anticipate being haled into court in the Commonwealth of Pennsylvania.

The Superior Court properly decided that Pennsylvania law rather than Delaware law should be applied in determining the

character of the 1963 TRI/Heyden Agreement. There is no decision from a Delaware court which squarely addresses the issue presented to this Court regarding the character of the 1963 TRI/Heyden Agreement and, therefore, the decision of the Pennsylvania Superior Court cannot be said to be incorrect. Additionally, recent decisions from Delaware courts lead to the inference that Delaware would embrace, not reject, the reasoning in the Superior Court's decision. Finally, the Commonwealth of Pennsylvania's interest in providing those injured in the Commonwealth with a right of recovery for those injuries as well as calling upon those who caused their injuries to answer for their deeds makes the application of Pennsylvania law constitutionally permissible. Clearly, the Superior Court's decision is not in conflict with the Due Process Clause or the Full Faith and Credit Clause.

REASONS FOR DENYING THE WRIT

The Superior Court of Pennsylvania correctly applied the decisions of this Court in reaching its conclusion that traditional notions of "fair play and substantial justice" central to the assertion of jurisdiction would be furthered by the imposition of *in personam* jurisdiction over TRI. There is certainly nothing contrary to a holding of this Court in finding that an entity which assumes the liabilities of a predecessor corporation should not reasonably expect to be haled into a forum where that predecessor was subject to *in personam* jurisdiction to answer for that predecessor's actions and/or omissions. Alternately, there is no reason for this Court to review a decision of the Pennsylvania Superior Court which is in harmony with precedent of this and other courts of competent jurisdiction.

In the absence of any decision from the Delaware courts regarding the application of the *de facto* merger doctrine to the 1963 TRI/Heyden Agreement, the Superior Court's decision to view that transaction as a *de facto* merger cannot be said to be

incorrect. Additionally, in view of the significant aggregation of contacts between the Commonwealth of Pennsylvania and the subject matter of litigation the decision to apply Pennsylvania law was constitutionally permissible.

I.

CONSISTENT WITH DUE PROCESS CLAUSE AND PRIOR DECISIONS OF THIS COURT, THE SUPERIOR COURT OF PENNSYLVANIA CORRECTLY HELD THAT TRI WAS SUBJECT TO *IN PERSONAM* JURISDICTION.

A. TRI Has Sufficient Minimum Contacts with the Commonwealth of Pennsylvania Such that the Imposition of Jurisdiction Over It Was Proper.

A state court may exercise personal jurisdiction over a non-resident defendant only so long as there exist "minimum contacts" between the defendant and the forum state. *International Shoe Co. v. Washington,* 326 U.S. 310, 316 (1945). Minimum contacts must have a basis in "some act by which the defendant purposefully avails itself of the privilege of conducting activities within the forum state, thus invoking the benefits and protection of its laws." *Burger King v. Rudzewicz,* 471 U.S. 462, 475 (1985). "The concept of minimum contacts, in turn, can be seen to perform two related, but distinguishable, functions. It protects the defendant against the burdens of litigating in a distant or inconvenient forum and it acts to ensure that the states through their courts, do not reach out beyond the limits imposed on them by their status as co-equal sovereigns in a federal system." *World-Wide Volkswagen Corp. v. Woodson,* 444 U.S. 290, 291-292 (1980).

The protection against inconvenient litigation is usually described in terms of "reasonableness" or "fairness". This Court

has stated that a defendant's contacts with the forum state must be such that maintenance of the suit "does not offend traditional notions of fair play and substantial justice". *International Shoe Co. v. Washington, supra* at 316 quoting *Milliken v. Meyer,* 311 U.S. 457, 463 (1940). The relationship between the defendant and the forum must be such that it is "reasonable . . . to require the corporation to defend the particular suit which is brought there." 326 U.S. at 317. The defendant's conduct and connection with the forum state must be such that he should reasonably anticipate being haled into court there. *World-Wide Volkswagen Corp. v. Woodson, supra* at 297.

In requesting this Court to re-examine the Superior Court's decision, TRI argues that the Superior Court's decision was improper because it substituted tort theories of successor liability in place of a determination as to whether TRI had the requisite minimum contacts to create a substantial connection with the Commonwealth of Pennsylvania such that TRI could reasonably anticipate being haled into court there[2] (Brief of Petitioners at pages 5-9). This is, of course, untrue.

In determining whether the assertion of *in personam* jurisdiction over TRI was proper, the Superior Court noted:

---

2. Indeed, in determining whether it is reasonable to require a corporation to defend a particular suit in a particular forum is a primary concern, what is reasonable may be considered in light of other relevant factors including the forum state's interest in adjudicating a dispute, *see McGee v. International Life Insurance Company,* 355 U.S. 220, 223 (1957), and the shared interest of the several states in furthering fundamental substantive social policies. *Kulko v. California Superior Court,* 436 U.S. 84, 93, 98 (1978). The Superior Court recognized that its decision, while not based upon public policy considerations, would, in fact, further the public policy of the Commonwealth of Pennsylvania in providing protection for its citizens who are injured through the use of products whose manufacturers no longer exist in their original corporate form (A24-A25).

> In view of the similarity of concerns with respect to jurisdiction and liability, certain analogies between the law of successor liability are useful to determine whether a predecessor corporation and its successor are one and the same for jurisdictional purposes.

(A16). In so stating, the Superior Court recognized that the application of principles of tort liability is not a substitute for an analysis of whether TRI has the requisite minimum contacts with the Commonwealth of Pennsylvania necessary to satisfy the Due Process Clause (A16). The Superior Court specifically recognized any discussion as to the assumption by TRI of any liability on behalf of Heyden was simply by way of analogy.[3] Clearly, the Superior Court's decision to uphold the trial court's assertion of *in personam* jurisdiction over TRI was not based on substantive product liability law.

After analyzing whether sufficient minimum contacts existed between the Commonwealth of Pennsylvania and TRI, the Superior Court held that the trial court's decision to assert *in personam* jurisdiction over TRI was proper. The Superior Court stated:

---

3. In discussing this particular aspect of its opinion, the Superior Court quoted, with approval, Judge Caleb M. Wright in *Fehl v. S.W.C. Corp.*, 433 F. Supp. 939 (D. Del. 1977) who stated:

> Common to the scope of both jurisdiction and liability is the fairness of making a corporation which enjoys the benefit of business with a state [i.e., assets of its predecessor derived from business within the state] answerable in that jurisdiction for wrongdoing associated with that business.

(A15-A16).

> When a successor corporation assumes the liabilities of its corporate predecessors, the successor in effect consents to be held liable in the same locations where its predecessor would have been exposed, i.e., consents to the same jurisdictional qualities of its predecessor. The provisions of the Due Process Clause are not violated by imputing the predecessor's actions and forum contacts upon a successor.

(A25). The Superior Court quite properly recognized, as this Court has, in prior decisions,[4] it is eminently fair and reasonable, taking into account the reality of modern corporate behavior, that a corporation should expect to be haled into court in those forums in which its predecessor was subject to jurisdiction to answer for its predecessor's acts and/or omissions. Further, it would be

---

4. TRI has stated that the Superior Court failed to take into consideration that the 1963 TRI/Heyden Agreement was not made in today's sophisticated world of corporate takeovers (Petitioner's Brief at page 8). Yet, this Court, as early as 1958, noted that one of the factors which led this Court to revise the rigid standard for *in personam* jurisdiction annunciated in *Pennoyer v. Neff*, 95 U.S. 714, for the more flexible standard contained in *International Shoe Co. v. Washington, supra*, was the fundamental transformation in the American economy brought about by improvements in transportation and communication, factors which the Superior Court recognized as being relevant in rendering its decision. *Hanson v. Denckla*, 357 U.S. 235, 250-251 (1958); *McGee v. International Life Ins., supra*, 355 U.S. at 222-223. As the Superior Court stated:

> No doubt in today's sophisticated world of corporate takeovers, a corporation, which assumes another's liabilities or purchases another's product line, seriously considers the possible extent of any liabilities and where those liabilities may exist. We are convinced that the traditional notions of "fair play and substantial justice" central to the assertion of jurisdiction are in fact furthered by today's decision.

(A25-A26).

unreasonable, as the Superior Court realized, to assume that corporate transactions are planned and executed, in a vacuum, without contemplating the ramifications of those transactions, including the extent to which a successor corporation may be called to answer for its predecessor's actions and/or omissions.

Under these circumstances, the imposition of jurisdiction is manifestly fair especially when this Court considers, as the Superior Court realized, that TRI derived some benefit from Heyden's presence in the Commonwealth through the use of Heyden's assets and its contacts with the forum (A24-A25).

B. The Imposition of Jurisdiction Over TRI Was Based Upon TRI's Contacts with the Commonwealth of Pennsylvania and Not the 1963 TRI/Heyden Agreement.

TRI has alleged that the Superior Court's decision is contrary to this Court's decision in *Rush v. Savchuk,* 444 U.S. 329 (1980). For reasons which will follow, *Rush v. Savchuk,* which held that a state may not exercise quasi *in rem* jurisdiction over a defendant who has no forum contacts by attaching the contractual obligation of an insurer licensed to do business in the state to defend and indemnify the defendant in connection with the suit is not applicable to this matter currently pending before this Court.

TRI argues that the Superior Court's decision affirming the lower court's holding that TRI was subject to *in personam* jurisdiction in the Commonwealth of Pennsylvania was based upon the 1963 TRI/Heyden Agreement.[5] As has been stated, at length, the Superior Court of Pennsylvania correctly determined that

---

5. It should be noted that, at no point in the Superior Court's opinion, is there a discussion as to whether the 1963 TRI/Heyden Agreement, in and of itself, is sufficient to confer jurisdiction upon TRI in the Commonwealth of Pennsylvania.

jurisdiction rested, not upon the 1963 TRI/Heyden Agreement, but upon TRI's own contacts with the Commonwealth of Pennsylvania. The Superior Court correctly and properly determined that it was consistent with traditional notions of "fair play and substantial justice" to maintain jurisdiction over a defendant (in this case, TRI) when that defendant assumes another's liabilities (and assets) and should reasonably anticipate being haled into court to answer for that other corporation's actions.[6]

II.

THE SUPERIOR COURT'S DECISION IS NOT IN CONTRADICTION TO DELAWARE CASE LAW AND PAYS DUE DEFERENCE TO THE FULL FAITH AND CREDIT CLAUSE.

"To constitute a violation of the Full Faith and Credit Clause or the Due Process Clause, it is not enough that a state court misconstrue the law of another state. Rather, our cases make plain that the misconstruction must contradict the law of the other state that is clearly established and that has been brought to the court's attention." *Sun Oil Co. v. Wortman*, ____ U.S. ____, 108 S. Ct.

---

6. TRI cannot reasonably argue, as it appears to be doing (*see* Brief at pages 5-7), that this case is one in a long line of the "stream of commerce" cases which have been before this Court. *See Max Daetwyler Corp. v. R. Meyer*, 762 F.2d 290 (3d Cir. 1985). This is not a case where ". . . a defendant's awareness that the stream of commerce may or will sweep the product into the forum state does not convert the mere act of placing the product into the stream into an act purposely directed toward the forum state." *Ashai Metal Industry Co. v. Superior Court*, 480 U.S. 102, 112 (1987). As in those cases outlined by the Third Circuit in *Max Daetwyler Corp., supra*, this is not a case where the vagaries of the "stream of commerce" have carried a product to a forum where the manufacturer of that product had no contact with the forum state, independent of the presence of that product in the forum.

2117 (1988). *See also, Pennsylvania Fire Ins. Co. v. Gold Issue Mining and Milling Co.*, 243 U.S. 93 (1970); *Western Life Indemnity Co. v. Rupp*, 235 U.S. 261 (1914); *Louisville & N.R. Co. v. Melton*, 218 U.S. 36 (1910); *Banholzer v. New York Life Ins. Co.*, 178 U.S. 402 (1900). Respondents are unaware of any case which directly addresses the issue before this Court. Nevertheless, a critical examination of Delaware law indicates that Delaware does not out of hand reject the *de facto* merger in tort cases as TRI would have this Court believe. In *Bouley v. American Cyanamid, et al.*, Slip Opinion No. 85-4368-Z (D. Mass. October 21, 1987) (available at 1987 Westlaw 18738), Judge Zobel in the context of another Thorotrast case reviewed Delaware's precedent on *de facto* mergers and concluded that Delaware's corporate cases purportedly eschewing *de facto* merger, *e.g.*, *Hariton v. ARCO Electronics, Inc.*, 41 Del. Ch. 74, 188 A.2d 123 (1963); *Heilburnn v. Sun Chemical Corp.*, 38 Del. Ch. 321, 150 A.2d 755 (1959) — were not controlling in view of subsequent Delaware case law that brought Delaware more in line with modern recognized principles of successor liability law. *See Sheppard v. A.C.E. & S., Co., Inc.*, 484 A.2d 521 (Del. Super. Ct. 1984), *appeal denied sub nom. In Re: Asbestos Litigation*, 497 A.2d 783 (1988). *Fehl v. S.W.C. Corp., supra.* Clearly, the Superior Court's decision was proper.

Additionally, assuming, for the sake of argument, that the cases cited by TRI in its brief are applicable, the decision of the Pennsylvania Superior Court to apply Pennsylvania law, rather than Delaware law, does not violate the Due Process Clause and Full Faith and Credit Clause which provide modest restrictions on the application of foreign law in the presence of a conflict. These restrictions require ". . . that for a state's substantive law to be selected in a constitutionally permissible manner, that State must have a significant contact or significant aggregation of contacts, creating state interest, such that choice of its law is neither arbitrary nor fundamentally unfair". *Phillips Petroleum Co. v.*

Shutts, 472 U.S. 818 (1985) quoting *Allstate Ins. Co. v. Hague*, 449 U.S. 302, 312-313 (1981). Clearly, taking into account the significant contacts with the Commonwealth of Pennsylvania, the decision of the Pennsylvania Superior Court to apply Pennsylvania law rather than Delaware law was neither arbitrary nor fundamentally unfair. The Commonwealth of Pennsylvania has a manifest interest in providing a remedy for its citizens and the citizens of other states who receive medical treatment in the Commonwealth of Pennsylvania from so called "orphan" drugs such as Thorotrast. Additionally, the Commonwealth of Pennsylvania has a manifest interest in requiring corporations who avail themselves of the benefits of their predecessor's contacts with the Commonwealth of Pennsylvania to answer for their predecessor's liabilities within the Commonwealth.

CONCLUSION

For the foregoing reasons, TRI's petition for writ of certiorari should be denied.

Respectfully submitted,

STANLEY S. FRAZEE, JR.
Counsel of Record
THOMAS F. REILLY
JOSEPH J. McALEE
GALLAGHER, REILLY
AND LACHAT
Attorneys for Respondents Sherrie Simmers and Robert A. Simmers, w/h and Robert S. Simmers, a Minor by his Parents and Natural Guardians Sherrie Simmers and Robert A. Simmers, w/h
3100 PSFS Building
12 South 12th Street
Philadelphia, PA 19107
(215) 592-9800